

The Hon. David W. Christel

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TRAVELERS PROPERTY CASUALTY COMPANY
OF AMERICA, a foreign insurer,

Plaintiffs,

v.

WALSH CONSTRUCTION COMPANY II, LLC, an
Illinois Limited Liability Company; and ARCH
SPECIALTY INSURANCE COMPANY, a foreign
insurer,

Defendants.

WALSH CONSTRUCTION COMPANY II, LLC, an
Illinois Limited Liability Company,

Third Party Plaintiff,

v.

GREENWICH INSURANCE COMPANY, a foreign
insurer,

Third Party Defendant.

No. 2:22-cv-00589 RSM-DWC

**STIPULATED MOTION AND
ORDER RE-NOTING MOTIONS
FOR SUMMARY JUDGMENT
FOR JULY 28, 2023**

**NOTED FOR CONSIDERATION:
June 21, 2023**

The parties have conferred and agree that it is in the best interests of all parties, and for the efficiency of the Court, to simultaneously hear all summary judgment motions pertaining to whether Walsh has tendered defense to Arch Specialty Insurance Company (“Arch”) and the other insurers’ duty to defend Walsh Construction Company II, LLC (“Walsh”) in the underlying

1 *King County v. Walsh* litigation. This would include the summary judgment motions currently
 2 filed by Plaintiff (Dkt. #32) and Arch (Dkt. # 36) as well as the motions for partial summary
 3 judgment related to the duty to defend that Walsh and Greenwich Insurance Company
 4 (“Greenwich”) intend to file. The Court re-noted Plaintiff’s motion for summary judgment (Dkt.
 5 #38) to be heard at the same time as Arch’s motion. Thereafter, the parties agreed and the Court
 6 issued an order to re-note Plaintiff’s motion, Arch’s motion, and any motions of Walsh and
 7 Greenwich related to the duty to defend for Friday, July 14, 2023 (Dkt. #39, Dkt. #40).

8 All parties now agree good cause exists for re-noting these aforementioned motions for a
 9 later date. All parties agree to this stipulation re-noting those motions and setting a schedule for
 10 motions that Walsh and Greenwich intend to file following LCR 7(d). The parties propose that
 11 the noting date for Plaintiff’s motion (Dkt. # 32) regarding duty to defend as well as Arch’s
 12 motion (Dkt. # 36) shall be Friday, July 28, 2023, and that any motions of Walsh and Greenwich
 13 related to the duty to defend Walsh will be filed in accordance with the time requirements of
 14 LCR 7(d) to be noted for July 28, 2023.

15 IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.

16 FRIEDMAN | RUBIN, PLLP

17 LETHER LAW GROUP

18 s/ Richard Dykstra

19 s/ N. Chance Laboda

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 Attorneys for Arch Specialty Insurance Co.

Stephania Denton, WSBA No. 21920
 Avin S. Singh, WSBA No. 51759
 Attorneys for Third-Party Defendant
 Greenwich Insurance Co.

1 PURSUANT TO STIPULATION,

2 IT IS SO ORDERED that Plaintiff's Motion (Dkt. # 32) and Arch's Motion (Dkt. # 36) as
3 well as all motions relating to duty to defend be noted simultaneously on Friday, July 28, 2023

4 DATED this 22nd day of June, 2023.

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8 David W. Christel
9 Chief United States Magistrate Judge
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